

From: Rick DiSalvo [rjdisalvo@msn.com]
Sent: Wednesday, January 24, 2007 7:21 PM
To: Bob Darr

Subject: Fw: Comments on Draft RFLMA

Bob, the 1st ransmittal was sent back as undeliverable, so I'll try this email address...

----- Original Message -----

From: [Rick DiSalvo](#)
To: Bob.Darr@lm.gov ; scott.surovchak@LM.doe.gov
Sent: Wednesday, January 24, 2007 8:21 AM
Subject: Comments on Draft RFLMA

I offer the following comments for the Parties' consideration in finalizing the RFLMA.

1. You are probably aware already, but what is now labeled and shown in the table of contents as Appendix 3 should be Attachment 3, in accordance with the text in paragraphs 31 and 66.
2. If CDPHE should unilaterally terminate the RFLMA in accordance with paragraph 70, that DOE would then also be in violation of the CHWA requirement for a post closure permit or enforceable order, if one is still required, at such time. I wonder if some language can be added to prevent DOE from being in non-compliance with the post-closure permit/order due to CDPHE's unilateral termination of the RFLMA, if there was insufficient time to have a permit/order issued during CDPHE's 60 day termination notice period?

Thank you for the opportunity to review the Draft.